IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1929 OF 2004
IN
FIRST APPEAL NO.1211 OF 2003

Mrs.Rohini Athlye and Ors. ...Petitioners
Vs.
Shri Ravindra Keshav Kumthekar and Ors. ...Respondents

Mr.S.B.Deshmukh for Petitioners
None present for Respondents

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 19TH AUGUST, 2005

P.C.

1. Heard Mr.Deshmukh in support of this Civil Application. Civil Application seeks to join Respondents 6 and 7 as additional Respondents in the First Appeal. The submission is that interest has been created infavour of Respondents 6 and 7 during the pendency of this Appeal. Respondent No.7 had waived notice which is recorded on 25th August, 2004. Respondent No.6 is served. Both of them are not present. However since the prayer is in the interest of complete disposal of the matter we allow this Civil Application to the extent of joining Respondents 6 and 7 as additional Respondents in this Appeal. Appellant will also have leave to amend the Appeal Memo and to place necessary averments with respect to Respondents 6 and 7 in the Memo of Appeal and also to place the mortgage deed and sale deed as Exhibits to the Appeal

Memo.

2. As far as the prayer that they be joined as Defendants in the suit is concerned the same will be considered when the appeal is heard and disposed of. Civil Application stands disposed of. Necessary amendment will be carried out within two weeks.

3. Notice for final hearing be served on Respondents 6 and 7.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)